

1 Martha G. Bronitsky
2 Chapter 13 Standing Trustee
3 Po Box 5004
4 Hayward, CA 94540
5 (510) 266 - 5580
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7 Trustee for Debtor(s)

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11 UNITED STATES BANKRUPTCY COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 In re
15 Rosa Viridiana Portugal | Chapter 13 Case No. 20-40153-RLE13
16 debtor(s)
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18 **Trustee's Motion to Dismiss Chapter 13 Case for Material Default; Declaration;**
19 **and Notice and Opportunity to Object**

20 TO DEBTOR(S) AND DEBTOR(S)' ATTORNEY OF RECORD:

21 Martha G. Bronitsky, Chapter 13 Standing Trustee, files this Motion to Dismiss, pursuant to 11 U.S.C.

22 Section 1307(c)(6) upon the grounds that the debtor(s) is in material default of a term of the confirmed plan
23 for the following reasons:

24 1. Failure to comply with section 7 of the confirmed plan, by failing to file quarterly declaration by July 20,
25 2020 with proof of June mortgage payments.

26 TO AVOID DISMISSAL

27 Within 21 days of this notice, YOU MUST resolve the issue or file an opposition/request for
28 hearing detailing why the case should not be dismissed stating specific actions you have taken or will take
to resolve the issue.

29 You should contact your attorney immediately to be advised of your legal options.

30 If you do not timely take action, YOUR CASE MAY BE DISMISSED WITHOUT FURTHER
31 NOTICE OR HEARING.

1 PURSUANT TO LOCAL BANKRUPTCY RULE 9014-1(b)(3)(A) NOTICE IS HEREBY GIVEN:

2 Any objection to the requested relief, or a request for hearing on the matter, must be filed and served upon
3 the initiating party with 21 days of the mailing of notice; any objection or request for hearing must be
4 accompanied by any declarations or memoranda of law any requesting party wishes to present in support of
5 its position; if there is no timely objection to the requested relief or a request for hearing, the court may
6 enter an order granting relief by default.

7 In the event of a timely objection or request for hearing, (either): the initiating party will give at
8 least seven days written notice of the hearing to the objecting or requesting party, and to any trustee or
9 committee appointed in the case; or the tentative hearing date, location, and time are "n/a".

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Date: July 27, 2020

/s/ Martha G. Bronitsky

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13 Signature of Martha G. Bronitsky
14 Chapter 13 Standing Trustee
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1 In re
2 Rosa Viridiana Portugal
3 debtor(s)

Chapter 13 Case No. 20-40153-RLE13

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5 CERTIFICATE OF SERVICE

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7 I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the
8 debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the
9 registered agent for the creditor by depositing it in the United States mail with first class
10 postage attached thereto.

11 I declare under penalty of perjury under the laws of the State of California that the foregoing is
12 true and correct.

13 Rosa Viridiana Portugal
14 2221 - 89Th Avenue
15 Oakland,CA 94603

16 (Debtor(s))

17 Date: 7/27/2020

18 Nathan D Borris Atty
19 1380 A Street
20 Hayward,CA 94541

21 (Counsel for Debtor)

22 /s/ Vivalda Silveira
23 _____
24 Vivalda Silveira

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